

Design Adjustment Application



**DEVELOPMENT
SERVICES
DEPARTMENT**

The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 in the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sec. 8.3.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

PROJECT	Project Name Leith Lincoln & Leith Acura		
	Case Number		
	Transaction Number 548936		
OWNER	Name MLC Automotive, LLC		
	Address 5601 Capital Blvd.		City Raleigh
	State NC	Zip Code 27616	Phone 919-876-5432
CONTACT	Name William Daniel		Firm William G. Daniel & Associates, PA
	Address 1150 SE Maynard Road Suite 260		City Cary
	State NC	Zip Code 27511	Phone 919-467-9708
REQUEST	I am seeking a Design Adjustment from the requirements set forth in the following:		
	<input checked="" type="checkbox"/> UDO Art. 8.3 Blocks, Lots, Access	- See page 2 for findings	
	<input checked="" type="checkbox"/> UDO Art. 8.4 New Streets	- See page 3 for findings	
	<input type="checkbox"/> UDO Art. 8.5 Existing Streets	- See page 4 for findings	
	<input type="checkbox"/> Raleigh Street Design Manual	- See page 5 for findings	
	Provide details about the request; (please attach a memorandum if additional space is needed):		
<p>Art. 8.3 Block Perimeter - Site is bordered by Capital Hills Drive on the SE and a living retaining wall up to 20' in height around remaining property perimeter thus making roadway connections to abutting parcels impracticable. All access to this site will be via Capital Hills Drive and Capital Summit Court</p> <p>Art 8.4 Street Trees - Capital Summit Court and Capital Hills Drive are existing roadways with 3.5' planting strips. This plan proposes planting the street trees on private property.</p>			

It is the responsibility of the applicant to provide all pertinent information needed for the consideration of this request. Applicant must be the Property Owner.

By signing this document, I hereby acknowledge the information on this application is, to my knowledge, accurate.

William G. Daniel
Owner/Owner's Representative Signature

4/13/2018
Date

CHECKLIST

Signed Design Adjustment Application	<input checked="" type="checkbox"/> Included
Page(s) addressing required findings	<input checked="" type="checkbox"/> Included
Plan(s) and support documentation	<input checked="" type="checkbox"/> Included
Notary page (page 6) filled out; Must be signed by property owner	<input checked="" type="checkbox"/> Included
First Class stamped and addressed envelopes with completed notification letter	<input checked="" type="checkbox"/> Included

Submit all documentation, with the exception of the required addressed envelopes and letters to

designadjustments@raleighnc.gov.

Deliver the addressed envelopes and letters to:

Development Services, Development Engineering
One Exchange Plaza, Suite 500
Raleigh NC, 27601

For Office Use Only	RECEIVED DATE:	DA - -
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Article 8.3, Blocks, Lots, Access

Administrative Design Adjustment Findings



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The Development Services Director may in accordance with *Sec. 10.2.18*, approve a design adjustment, subject to all of the following findings. Describe how each item is met:

- A. The requested design adjustment meets the intent of this Article;

Yes. Unable to connect to adjacent property due to physical constraints.

- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

Yes. No future roadways or connections are shown on Comprehensive Plan or any City Transportation plan.

- C. The requested design adjustment does not increase congestion or compromise Safety;

No increase to congestion or safety issue caused by this design adjustment. Surrounding roadways design to handle all traffic generated by this site.

- D. The requested design adjustment does not create any lots without direct street Frontage;

No lots created without direct street frontage.

- E. The requested design adjustment is deemed reasonable due to one or more of the following:

1. Topographic changes are too steep;
2. The presence of existing buildings, stream and other natural features;
3. Site layout of developed properties;
4. Adjoining uses or their vehicles are incompatible;
5. Strict compliance would pose a safety hazard; or
6. Does not conflict with an approved or built roadway construction project
7. adjacent to or in the vicinity of the site.

Existing living retaining wall up to 20' in height on the SW, W, N, and E side of the property and existing Capital Hills Drive and Capital Summit Court on the SE side. On the low side of the wall, a recorded TCA Easement, CoR Greenway Easement, and a NCEEP Stream Restoration Easement effectively surround this parcel making a roadway connection to abutting parcels impracticable.

Article 8.4, New Streets

Administrative Design Adjustment Findings



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The Development Services Director may in accordance with *Sec. 10.2.18*, approve a design adjustment, subject to all of the following findings. Describe how each item is met:

- A. The requested design adjustment meets the intent of this Article;

Yes. Plants the required street trees directly adjacent to the R/W where they would have been planted if the existing planting strip was wide enough.

- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

Existing planting strip is 3.5' wide. Not enough room per CoR design to plant within. By planting on private property adjacent to the R/W, we are meeting the intent of the Code.

- C. The requested design adjustment does not increase congestion or compromise safety;

N/A

- D. The requested design adjustment does not create additional maintenance responsibilities for the City;

Street trees will be planted on private property and maintained by property owner. No additional maintenance responsibilities for the City.

- E. The requested design adjustment has been designed and certified by a Professional Engineer; and

Yes.

- F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.

N/A

Individual Acknowledgement



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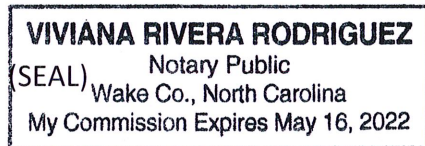
STATE OF NORTH CAROLINA

INDIVIDUAL

COUNTY OF Wake

I, Viviana Rivera Rodriguez, a Notary Public do hereby certify that
William Gethin Daniel personally appeared before me this day and
acknowledged the due execution of the forgoing instrument.

This the 13 day of April, 2018:



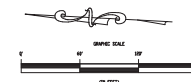
Notary Public [Signature]

My Commission Expires: May 16, 2022

NOTES:
 1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CURRENT CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
 2. BOUNDARY IS TAKEN FROM NEW LOT 2 & 20 BM 2018 PG 475.
 3. CONTOURS ARE A COMBINATION OF FIELD SURVEYED, PROPOSED ROADWAY GRADES, AND WAKE COUNTY CADASTRAL INFORMATION.
 4. NO PORTIONS OF PROPOSED IMPROVEMENTS LOCATED WITHIN 100 YEAR FLOOD PLAIN.
 5. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING UTILITIES.
 6. ALL DISTANCES ARE TO BACK OF CURB AND FACE OF BUILDING UNLESS OTHERWISE SPECIFIED.
 7. BUILDING CONFIGURATION SHOWN IS FOR SITE PURPOSES ONLY. FOR DETAILED INFORMATION ON BUILDING CONFIGURATION SEE ARCHITECTURAL PLANS.
 8. WITHIN THE SIGHT TRIANGLES SHOWN ON THIS PLAN, NO OBSTRUCTION BETWEEN TWO (2) FEET AND EIGHT (8) FEET IN HEIGHT ABOVE THE CURB LINE ELEVATION OR THE NEAREST TRAVELED WAY, IF NO CURBING EXISTS.

PAVEMENT DESIGN NOTE:
 ALL PAVEMENT PROPOSED ON THIS PLAN IS TO BE 8" ABC AND 3" S9.5B UNLESS OTHERWISE SPECIFIED.

Outdoor Amenity Calculations
 10% of Proposed Site
 Site Area = 1,441,361 sf (33.09 ac)
 Required Space = 144,136 sf (10%)
 Provided Space = 144,941 sf (10.06%)



ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF RALEIGH AND/OR NCDOT STANDARDS AND SPECIFICATIONS.

Wm. G. Daniel & Assoc.
 Engineering Planning
 Site Design
 1150 SE MAYNARD ROAD
 SUITE 250
 CARY, NC 27511
 (919) 467-9708
 C-0029

Revisions
 04/12/2018 Revisions per City of Raleigh 1st review comments

OWNER:
 MLC Automotive, LLC
 5601 Capital Blvd.
 Raleigh, NC 27616
 (919) 876-5432

Project
 Leith Lincoln &
 Leith Acura

Site Plan

Date
 March 21, 2018

Scale
 1" = 60'

Sheet

CS - 4

Denotes Handicap Ramp

STRIPING & SIGNAGE NOTES
 1. ALL ON-SITE PAVEMENT MARKINGS TO BE 4" WHITE PAINT, UNLESS OTHERWISE NOTED.
 2. STOP BARS TO BE 2" WIDE THERMOPLASTIC.
 3. STOP SIGNS ARE TO BE MUTCD R1-1 30"x30".

